

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

JAVIER RODRIGUEZ,

Plaintiff,

vs.

Civ. No. 16-489 WJ/GBW

LAS CRUCES MEDICAL CENTER, LLC.,
D/B/A MOUNTAIN VIEW REGIONAL
MEDICALCENTER, AFFILION, LLC.,
BRUCE GLEASON, M.D., PHC LAS CRUCES INC.
D/B/A MEMORIAL MEDICAL CENTER,
LAS CRUCES EMERGENCY MEDICAL ASSOCIATES, INC,
ANDREW PEARSON, M.D.,
BEN ARCHER HEALTH CENTER, INC
AND JIE LUO, M.D.

Defendants.

**ORDER SUBSTITUTING THE UNITED STATES FOR
DEFENDANTS BEN ARCHER HEALTH CENTER, INC. AND JIE LUO, M.D.**

THIS MATTER came before the Court on the Amended Notice of Substitution filed by the United States of America, and the Court is fully advised in the premises.

After consideration of the United States' Amended Notice of Substitution and the entire record in this matter,

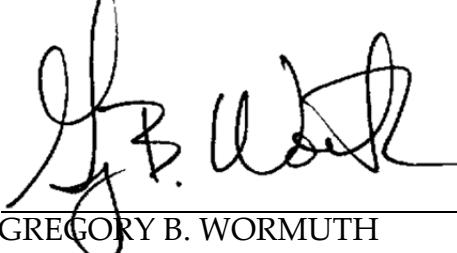
THE COURT CONCLUDES that the United States is the proper federal defendant with respect to the common law tort claims alleged in the Complaint against Defendants Ben Archer Health Center, Inc. and Jie Luo, M.D.

IT IS THEREFORE ORDERED that the United States of America is substituted as Defendant with respect to the claims alleged in the Complaint against Defendants Ben Archer Health Center, Inc. and Jie Luo, M.D. Plaintiff's claims against Defendants Ben Archer Health Center, Inc. and Jie Luo, M.D. are dismissed with prejudice.

IT IS FURTHER ORDERED that hereafter, the caption for this cause shall be:

Javier Rodriguez, Plaintiff, vs. Las Cruces Medical Center, LLC, D/B/A Mountain View Regional Medicalcenter, Affilion, LLC., Bruce Gleason, M.D., PHC Las Cruces Inc. D/B/A Memorial Medical Center, Las Cruces Emergency Medical Associates, Inc, Andrew Pearson, M.D., and the United States of America, Defendants.

IT IS SO ORDERED:



GREGORY B. WORMUTH
United States Magistrate Judge